



General Assembly

January Session, 2003

***Amendment***

LCO No. 7227

\*SB0103507227HD0\*

Offered by:

REP. DOYLE, 28<sup>th</sup> Dist.

REP. GODFREY, 110<sup>th</sup> Dist.

REP. TYMNIAK, 133<sup>rd</sup> Dist.

REP. HEAGNEY, 16<sup>th</sup> Dist.

REP. STRIPP, 135<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1035

File No. 632

Cal. No. 563

(As Amended)

***"AN ACT CONCERNING WHITE COLLAR CRIME ENFORCEMENT,  
THE CONNECTICUT UNIFORM SECURITIES ACT AND  
CORPORATE FRAUD ACCOUNTABILITY."***

1 In lines 268, 283 and 300, after "purposes of", insert "the  
2 administrative enforcement of"

3 In lines 269, 284 and 301, after the period, insert the following: "The  
4 commissioner shall refer to the Chief State's Attorney any evidence  
5 found by the commissioner of a criminal violation of the provisions of  
6 this section."

7 Strike section 45 in its entirety and substitute the following in lieu  
8 thereof:

9 "Sec. 45. Subsection (a) of section 20-281a of the general statutes is  
10 repealed and the following is substituted in lieu thereof (*Effective*  
11 *October 1, 2003*):

12 (a) After notice and hearing pursuant to section 20-280c, the board  
13 may revoke any certificate, license or permit issued under section 20-  
14 281c, 20-281d or 20-281e; suspend any such certificate, registration,  
15 license or permit or refuse to renew any such certificate, license or  
16 permit; reprimand, censure, or limit the scope of practice of any  
17 licensee; impose a civil penalty not exceeding [one] fifty thousand  
18 dollars upon licensees or others violating provisions of section 20-281g  
19 or place any licensee on probation, all with or without terms,  
20 conditions and limitations, for any one or more of the following  
21 reasons:

22 (1) Fraud or deceit in obtaining a certificate, registration, license or  
23 permit;

24 (2) Cancellation, revocation, suspension or refusal to renew  
25 authority to engage in the practice of public accountancy in any other  
26 state for any cause;

27 (3) Failure, on the part of a holder of a license or permit under  
28 section 20-281d or 20-281e, to maintain compliance with the  
29 requirements for issuance or renewal of such license or permit or to  
30 report changes to the board under subsection (g) of section 20-281d or  
31 subsection (f) of section 20-281e;

32 (4) Revocation, limitation or suspension of the right to practice  
33 before any state or federal agency or the Public Company Accounting  
34 Oversight Board under the Sarbanes-Oxley Act of 2002, or any of the  
35 following actions taken by any such state or federal agency or said  
36 board against a licensee: (A) Suspension of or barring a licensee from  
37 serving as a corporate officer or director, (B) requiring a licensee to  
38 disgorge funds, or (C) suspension or barring a licensee from  
39 association with a public accounting firm;

- 40       (5) Dishonesty, fraud or negligence in the practice of public  
41       accountancy or in the filing or failure to file his own income tax  
42       returns;
- 43       (6) Violation of any provision of sections 20-279b to 20-281m,  
44       inclusive, or regulation adopted by the board under said sections;
- 45       (7) Violation of any rule of professional conduct adopted by the  
46       board under subdivision (4) of subsection (g) of section 20-280;
- 47       (8) Conviction of a felony, or of any crime an element of which is  
48       dishonesty or fraud, under the laws of the United States, of this state,  
49       or of any other state if the acts involved would have constituted a  
50       crime under the laws of this state, subject to the provisions of section  
51       46a-80;
- 52       (9) Performance of any fraudulent act while holding a registration,  
53       certificate, license or permit issued under sections 20-279b to 20-281m,  
54       inclusive, or prior law;
- 55       (10) Any conduct reflecting adversely upon the licensee's fitness to  
56       engage in the practice of public accountancy; and
- 57       (11) Violation by anyone of any provision of section 20-281g."